



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

BY ECF

July 12, 2023

The Honorable Vernon S. Broderick
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Kaila Minaya Marcano-Pena*, 20 Cr. 59 (VSB)

Dear Judge Broderick:

The Government to respond to the Court's questions regarding next steps in the above-captioned matter. First, the Government has conferred internally and decided not to bring additional charges against this defendant for bail jumping, as this Court can properly consider the defendant's flight prior to her sentencing in determining an appropriate sentence here. Second, the Government has no objection to a revised PSR and will provide any necessary information to Probation to facilitate preparation of such report. Third, the Government does intend to submit a supplemental sentencing submission in advance of the defendant's sentencing.

The parties have conferred and respectfully request a 60 day adjournment of the defendant's sentencing to allow time for Probation to complete a revised PSR, if the Court directs it to do so, and for the parties to prepare and file supplemental sentencing submissions.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: /s/
Elizabeth A. Espinosa
Assistant United States Attorney
(212) 637-2216

cc: Luis Diaz, Esq. (via ECF)

**APPLICATION GRANTED
SO ORDERED**
VERNON S. BRODERICK
U.S.D.J. 07/13/2023

The status conference scheduled for July 14, 2023 is hereby adjourned. The sentencing is scheduled for September 25, 2023 at 2:00 PM. Probation is directed to complete a revised PSR and the parties are directed to prepare and file supplemental sentencing submissions in accordance with my Individual Rules and Practices. So Ordered.